

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

**LE TALLEY-HO CONSTRUCTION
COMPANY**

CIVIL ACTION NO.: 6:15-cv-02420

VERSUS

JUDGE: REBECCA F. DOHERTY

**JOHN DEERE CONSTRUCTION
& FORESTRY COMPANY, W. L.
DOGGETT, LLC D/B/A DOGGETT
MACHINERY SERVICES, LLC, GREAT
AMERICAN INSURANCE GROUP,
ARTHUR J. GALLAGHER RISK
MANAGEMENT SERVICES, INC.,
BRENT ROMERO ANDABC INS. CO.**

MAGISTRATE: CAROL B. WHITEHURST

**ANSWER BY JOHN DEERE CONSTRUCTION & FORESTRY COMPANY
TO CROSS CLAIM FOR DAMAGES OF W. L. DOGGETT, LLC
d/b/a DOGGETT MACHINERY SERVICES, LLC**

NOW INTO COURT through undersigned counsel comes JOHN DEERE CONSTRUCTION & FORESTRY COMPANY ["**DEERE**"] who for Answer to the Cross Claim for Damages of W. L. Doggett, LLC d/b/a Doggett Machinery Services, LLC ["**DOGGETT**"] avers as follows:

ANSWER

I.

The allegations of paragraph 1 of the Cross Claim for Damages are denied except to admit status. DEERE is a Delaware Corporation with its principal business office in Moline, Illinois.

II.

The allegations of paragraph 2 of the Cross Claim for Damages are not directed to Deere, but out of an abundance of caution are denied for lack of sufficient information to justify a belief therein.

III.

The allegations of paragraph 3 of the Cross Claim for Damages are denied for lack of sufficient information to justify a belief therein.

IV.

The allegations of paragraph 4 of the Cross Claim for Damages call for conclusions of law for which no answer is required. However, out of an abundance of caution the allegations are denied for lack of sufficient information to justify a belief therein.

V.

The allegations of paragraph 5 of the Cross Claim for Damages are not directed to Deere. However, out of an abundance of caution, the allegations are denied for lack of sufficient information to justify a belief therein.

VI.

The allegations of paragraph 6 of the Cross Claim for Damages are denied.

VII.

The allegations of paragraph 7 of the Cross Claim for Damages call for conclusions of law for which no answer is required. However, out of an abundance of caution, the allegations are denied for lack of sufficient information to justify a belief therein.

VIII.

The allegations of paragraph 8 of the Cross Claim for Damages call for conclusions of law for which no answer is required. However, out of an abundance of caution, the allegations are denied for lack of sufficient information to justify a belief therein.

IX.

The allegations of paragraph 9 of the Cross Claim for Damages call for conclusions of law for which no answer is required. However, out of an abundance of caution, the allegations are denied for lack of sufficient information to justify a belief therein.

X.

Deere realleges, reavers and reiterates its Answer and Affirmative Defenses previously filed in the record of this matter as if copied herein in extenso.

XI.

RESERVATION

DEERE specifically reserves the right to file additional amended and/or supplemental Answers, Third-Party Complaints, Counterclaims and/or Cross-Claims or Answers thereto, additional affirmative defenses and/or other matters constituting avoidance such as the facts of this matter may later disclose and require.

XII.

PRAYER

Wherefore, Premises Considered, DEERE respectfully requests that: W. L. Doggett, LLC d/b/a Doggett Machinery Services, LLC, Plaintiff in Cross Claim. claims against John Deere Construction & Forestry Company be dismissed with prejudice and at Doggett's cost and for such other and further relief at either law or equity to which Deere may be justly entitled.

Respectfully submitted,
COTTEN SCHMIDT & ABBOTT, L.L.P

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**ATTORNEYS FOR JOHN DEERE
CONSTRUCTION & FORESTRY COMPANY**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing pleading has been filed via the ECF-CM system and served on all known counsel of record this 3rd day of November, 2015.

/s/ PAUL M. LAVELLE (08134)
PAUL M. LAVELLE